From: Martin Kiewitz
To: microsoft.atr(a)usdoj.gov
Date: 1/24/02 12:40pm
Subject: Microsoft Settlement

Dear DOJ,

I'm a german software developer, so I'm not an american citizen. I don't know, if this matters, but I want to say
something about the proposed Microsoft Settlement.

I read a comprehension on another site and I read the whole one.
I noticed that the settlement does not mention the sabotage that Microsoft did some years ago, when releasing Microsoft Windows 95. Those days, they wanted to rule the DOS world. Several other competitioner
DOS versions were out. Just to mention one: Caldera DOS.
Because Windows 95 was actually running *under* DOS, Microsoft installed a little extra API. I mean, API is a
huge word. They actually implemented about 400 Bytes of Code (!) that's really tiny in size, to detect MS-DOS
7.0. If this was not found by Windows 95, it gave error messages, as if the underlying DOS wouldn't be able
to run Windows 95.

In fact it was. Caldera wrote a little TSR (means a software program that stays in memory and is able to implement another API or fix one) that enabled Caldera DOS users to run Windows 95 under their DOS.

So Microsoft was actually connecting their MS-DOS 7 to their Windows 95, so that other competitioners would get out of business and actually they succeeded.

Caldera sued Microsoft for this and here is the result:
http://www.kegel.com/remedy/archive/final4.html

Quote: "Caldera has presented sufficient evidence that the incompatibilities alleged
were part of an anticompetitive scheme by Microsoft."

The PFJ as currently written does nothing to prohibit these kinds of restrictive licenses and intentional incompatibilities, and thus encourages Microsoft to use these techniques to enhance the Applications Barrier
to Entry, and harming those consumers who use non-Microsoft operating systems and wish to use Microsoft
applications software.

I have another example of mine. I developed a multi-boot-loader, which means an exchange software program that is loaded prior to the Operating System. Currently it's still Public Beta, but that's not the point.
In the last version release, someone tried it out on Windows 2000/NT, but it didn't work. The strange thing
was that it works with all Operating Systems available (including BeOS, OS/2, eCS, Microsoft Windows

95/98/ME, All DOS Versions).
Now I found out that their Operating Systems based on the NT-line (which means NT/2000/XP) look for a
specific operation code *AT* the location of the boot-loader.
It's difficult to explain that one to non-technical experienced people. In fact they check for the first operation
code issues in the boot-loader for CLI. CLI disables interrupts on x86 computers and it's of no use.
First I thought that this would be "crazy" and couldn't be. Then I tried it out by inserting that CLI into my programs code and Windows 2000/NT didn't go crazy, but they worked.

This CLI-checking is not listed anywhere. It was found by other boot-loader programers. Actually it has the
only purpose to make it harder for custom boot-loader writers. It's another of those incompatibilities.
The standards of that space on the harddrive is defined and the CLI was not included.

If you want to check for yourself, here is the address to download my boot-loader:
http://kiewitz.ath.cx/KiewitzSoft.

I can send you a program that simply removes the CLI and you could see Windows 2000 going berserk, which actually means it will Load and Save the profile in an endless loop. This behaviour is not in any way
related and can not be related directly to the CLI. If I execute the CLI one operation code later, the whole mess isn't changing, so it's really actual checking for this opcode.

These are things that Microsoft does the whole time and I don't want them to continue with that behaviour.

Thank you for reading.

Martin Kiewitz